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REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed March 20, 2003. Claims 1 – 34 remain pending. Applicants have amended claims 1, 3, 4, 6, 8, 9 – 26 and 31 - 34. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Priority Claim Under 35 U.S.C. §120

Paragraph 2 of the Office Action states that the priority claim under 35 U.S.C. §120 to the parent application was incorrect in the declaration. Applicants note that a Supplemental Declaration was filed on October 15, 2001, in which the serial number for the parent application was corrected. Furthermore, a Request for Correction to the Filing Receipt was also filed on October 15, 2001, to make the same correction. Copies of each are attached for the Examiner's convenience.

Paragraph 6 of the Office Action also states that the same inadvertent typographical error was made in the "Cross-Reference to Related Applications." As indicated above, Applicants have amended the specification to clarify that the present application is a continuation-in-part of U.S. Patent Application Serial No. 09/704,150 instead of U.S. Patent Application Serial No. 09/790,150.

II. Supplemental Information Disclosure Statement

Paragraph 5 of the Office Action indicates that page 2 of the specification refers to two patents (U.S. Patent Nos. 4,697,166 and 5,471,190) that were not included in the Information Disclosure Statement. Applicants have included these references for consideration in the attached Supplemental Information Disclosure Statement.

Paragraph 4 of the Office Action states that a copy of U.S. Provisional Patent Application 60/224,065 was not included in the original Information Disclosure Statement. A copy of this reference has also been submitted in the attached Supplemental Information Disclosure Statement.

III. Objection to Abstract

Paragraph 3 of the Office Action objects to the Abstract because it contains greater than 150 words. As indicated above, Applicants have amended the Abstract to comply with the requirements of 37 C.F.R. 1.72. Accordingly, Applicants respectfully request that the objection to the Abstract be withdrawn.

IV. Cross-References to Patent Applications in the Specification

Paragraph 6 of the Office Action requests that various references to pending patent applications in the specification be corrected. Each of these references are addressed below.

The patent application referenced on page 8, ll. 17 – 18 is clearly identified by application serial number, title, and filing date. The patent application referenced on page 12, ll. 4 – 6 is also clearly identified by application serial number, title, and filing. Therefore, Applicants respectfully submit that no correction is required for these references.

As indicated above in the Amendments in the Specification, the reference to the patent application on page 8, ll. 27 – 30 has been amended to indicate the application serial number and filing date. Furthermore, the reference to the patent application on page 16, ll. 7 – 10 has been amended to indicate the application serial number and filing date.

V. Claims 1 – 34 Comply With 37 C.F.R. 1.75(a)

Paragraph 7 of the Office Action objects to claims 1 – 34 under 37 C.F.R. 1.75(a) for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Applicant respectfully submits, however, that the Office Action did not specify objections to all of claims 1 – 34. Rather, the Office Action only specified objections to claims 1, 3, 4, 6, 8 - 12, 14, 16, 17, 19, 20, 22, 24 - 27, 30, 31, 33, and 34. With regard to the informalities specified in these claims, Applicants have amended the claims as indicated above to remove any informalities and to more particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Accordingly, Applicants submit that all claims comply with 37 C.F.R. 1.75(a) and, therefore, respectfully requests that this objection be withdrawn.

VI. Claims 1 – 34 are Patentable Over the Prior Art of Record

The Office Action rejects claims 1-5, 9-13, 17-19, 22-23, 26-30, and 34 under 35 U.S.C. § 102(a) or 102(e) as allegedly being anticipated by Cunningham et al. (USPN 6,124,806). The Office Action rejects claims 6-7, 14-15, 20, 24, and 31-32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cunningham et al. (USPN 6,124,806) in view of Russ et al. (USPN 6,061,604). The Office Action rejects claims 8, 16, 21, 25, and 33 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cunningham et al. (USPN 6,124,806) in view of Russ et al. (USPN 6,061,604) as applied to claims 7, 15, 20, 24, and 32 above, and further in view of Cumeralto et al. (US 2002/0109607). For the reasons set forth herein, Applicants respectfully request reconsideration and withdrawal of these rejections.

Without acquiescing to the merits of these rejections, Applicants respectfully submit that amended independent claims 1, 9, 17, 22, 26, and 34 each include limitations that are not disclosed, taught, or suggested by the prior art of record. Specifically, independent claims 1

and 9, as amended, include the feature of “logic configured to receive a transmit message from another communication device and retransmit the received transmit message.” The communication devices of independent claims 1 and 9 transmit original messages that include the unique identifier stored in memory and the electricity consumption data provided by the data interface. The communication devices of independent claims 1 and 9 may also receive transmit messages from other communication devices and then retransmit the received transmit message. This repeater functionality is not disclosed, taught, or suggested by the prior art of record. For at least this reason, Applicants respectfully submit that independent claims 1 and 9 are patentable over the prior art of record. Accordingly, Applicants respectfully request that the rejection of independent claims 1 and 9 be withdrawn and the claims allowed.

Because independent claims 1 and 9 are allowable over the prior art of record, dependent claims 2 - 8 (which depend from independent claim 1) and dependent claims 10 - 16 (which depend from independent claim 9) are allowable as a matter of law for at least the reason that the dependent claims contain all features/elements of corresponding independent claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 2 - 8 and 10 - 16 also be withdrawn and the claims allowed.

Independent claims 17 and 22, as amended, include the feature of “means for receiving a transmit message from another communication device and retransmitting the received transmit message.” The communication device of independent claims 17 and 22 transmits original messages that include the unique identifier stored in memory and the electricity consumption data. The communication device of independent claims 17 and 22 may also receive transmit messages from other communication devices and then retransmit the received transmit message. This repeater functionality is not disclosed, taught, or suggested by the prior art of record. For at least this reason, Applicants respectfully submit

that independent claims 17 and 22 are patentable over the prior art of record. Accordingly, Applicants respectfully request that the rejection of independent claims 17 and 22 be withdrawn and the claims allowed.

Because independent claims 17 and 22 are allowable over the prior art of record, dependent claims 18 - 21 (which depend from independent claim 17) and dependent claims 23 - 25 (which depend from independent claims 22) are allowable as a matter of law for at least the reason that the dependent claims contain all features/elements of corresponding independent claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 18 - 21 and 23 - 25 also be withdrawn and the claims allowed.

Independent claim 26, as amended, includes the feature of "each of the plurality of communication devices further configured to receive a transmit message from at least one of the other communication devices and retransmit the received transmit message." Each of the communication devices transmit original messages that include the unique identifier stored in memory and the electricity consumption data. Each communication device may also receive transmit messages from other communication devices and then retransmit the received transmit message. This repeater functionality is not disclosed, taught, or suggested by the prior art of record. For at least this reason, Applicants respectfully submit that independent claim 26 is patentable over the prior art of record. Accordingly, Applicants respectfully request that the rejection of independent claim 26 be withdrawn and the claim allowed.

Because independent claim 26 is allowable over the prior art of record, dependent claims 27 - 33 (which depend from independent claim 26) are allowable as a matter of law for at least the reason that the dependent claims contain all features/elements of corresponding independent claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly,

Applicants respectfully request that the rejection of claims 27 – 33 also be withdrawn and the claims allowed.

Independent claim 34, as amended, includes the feature of “each of the plurality of communication means further configured to receive a transmit message from at least one of the other communication means and retransmit the received transmit message.” Each of the communication means transmit original messages that include the unique identifier stored in memory and the electricity consumption data. Each communication means may also receive transmit messages from other communication devices and then retransmit the received transmit message. This repeater functionality is not disclosed, taught, or suggested by the prior art of record. For at least this reason, Applicants respectfully submit that independent claim 34 is patentable over the prior art of record. Accordingly, Applicants respectfully request that the rejection of independent claim 34 be withdrawn and the claim allowed.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims 1 - 34 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

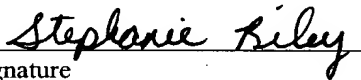
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 6/20/03.


Signature